



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
PIEDMONT BRANCH
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

June 3, 2009

Regulatory Division
200900552

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: 200900552

Applicants: Georgia Power Company (GPC)
5131 Maner Road
Smyrna, Georgia 30080

Agent : Ecological Solutions, Inc.
Attn: Mr. Mark Ballard
630 Colonial Park Drive
Roswell, Georgia 30075

Location of Proposed Work: The proposed project is located in Heard County immediately southwest of the Plant Wansley generation facility. The nearest communities are Roopville approximately five miles northwest of the site and Centralhatchee approximately 3.5 miles southwest of the site. According to the 1974 Hydrologic Unit Map of Georgia, the project area is located within the South Atlantic-Gulf Unit Code 03130005 of the Middle Chattahoochee River Watershed at Latitude 33° 20' 42" North and Longitude 84° 33' 26" West, southeast of Georgia Highway 54 (GA 54), northwest of Georgia Highway 85 (GA 85), and southwest of and adjacent to Georgia Highway 74 (GA 74). Please see the attached Site Location Map.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers:
The proposed project is for development of the proposed Plant Wansley Coal Combustion By-Product Storage Facility located in Heard County, Georgia. GPC is currently investing more than \$1.3 billion to install SO₂ "scrubbers" (more formally known as Flue Gas Desulfurization devices) at several of its coal combustion facilities in an effort to reduce SO₂ emissions. Plant Wansley is one of the coal generation facilities identified for the installation of SO₂ scrubbers. One scrubber was installed at Plant Wansley in October 2008 and another is actively under construction. The scrubber system uses water and limestone to remove at least 95% of sulfur emissions from flue gas

generated during coal combustion. The primary by-product of the scrubbing process is gypsum. A large amount of limestone (more than 200 tons per day) is required to operate the scrubbers at Plant Wansley, resulting in a large amount of gypsum. While gypsum is a reusable product in both the construction and agricultural industries, the scrubbing process generates more gypsum than those markets can absorb; therefore, GPC needs to construct a storage facility at Plant Wansley to appropriately store the gypsum by-product.

AVOIDANCE, MINIMIZATION, AND MITIGATION

Current land use of the site consists of forested areas including mature hardwoods as well as young planted pine. Field surveys of the tract identified twelve jurisdictional wetlands, ten perennial streams, eight intermittent streams, and eight ephemeral streams onsite. Detailed studies were conducted to determine the best location for the storage facility as is documented in the alternatives analysis section of this document. This analysis included evaluating four distinct site options including three alternative sites and the no-build option. Additionally, three different development options have been evaluated for the selected site. These on-site options demonstrate that avoidance and minimization efforts have been maximized to the extent practical while meeting the project purpose and need. This is demonstrated by the fact that 83-percent of on-site streams and 90-percent of on-site wetlands are being avoided. Construction and operation of the by-product storage facility will impact approximately 2,958 linear feet of streams and 0.79 acres of wetlands.

Proposed jurisdictional waters impacts are associated with site access and overall site development. Impacts resulting from the project total 0.79 acres of wetland impact, 1,268 linear feet of perennial stream, 1,535 linear feet of intermittent stream, and 0.01 acres (155 linear feet) of ephemeral stream (total stream impact is 2,958 linear feet). Use of the March 2004 Standard Operating Procedure for Compensatory Mitigation determined that 6.07 wetland credits and 13,300.1 stream credits are required for this project. The applicant has evaluated a variety of mitigation opportunities including on-site and off-site mitigation options and has determined that both the stream and wetland required credits will be provided through an USACE approved mitigation bank(s) that services the project area.

BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local government approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in

accordance with the provisions of Section 401 of the Clean Water Act, which is required by an applicant for a Federal Permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of the application in writing and state the reasons or basis of objections or request for a hearing. The application can also be seen in the Savannah District US Army Corps of Engineers, Regulatory Branch, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia which may be in the form of a license, easement, lease, permit, or other appropriate instrument.

US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: A Phase I cultural resources survey has been conducted for the project site by Brockington and Associates. The survey determined that no National Register of Historic Places (NRHP) potentially eligible or eligible resources are within the site boundaries; therefore, no NRHP sites will be impacted as a result of project implementation. USACE will review the report and make a determination concerning the results of the survey. This determination will be coordinated with the Georgia State Historic Preservation Office.

Threatened and Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

A review of available U.S. Fish and Wildlife Service (USFWS) information determined that two federal listed species, black-spored quillwort (*Isoetes melanospora*) and pool sprite (*Amphianthus pusillus*), are known to occur within Heard County. No suitable habitat for these species was observed within the site. The bald eagle (*Haliaeetus leucocephalus*) was formerly listed for Heard County. While no longer listed by the USFWS as threatened or endangered, the bald eagle is protected under the Bald Eagle Protection Act and the Bald and Golden Eagle Protection Act. There is a known

location of a bald eagle nest adjacent to the ash pond located at Plant Wansley. The nest site is approximately 2,000 linear feet from the proposed project area. Initial coordination with Mr. Jim Ozier, Georgia Department of Natural Resources, has determined that on-going work and improvements at the plant site do not pose a threat to the eagle nest at Plant Wansley. USACE will review the documentation and consult with the US Fish and Wildlife Service regarding this site.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

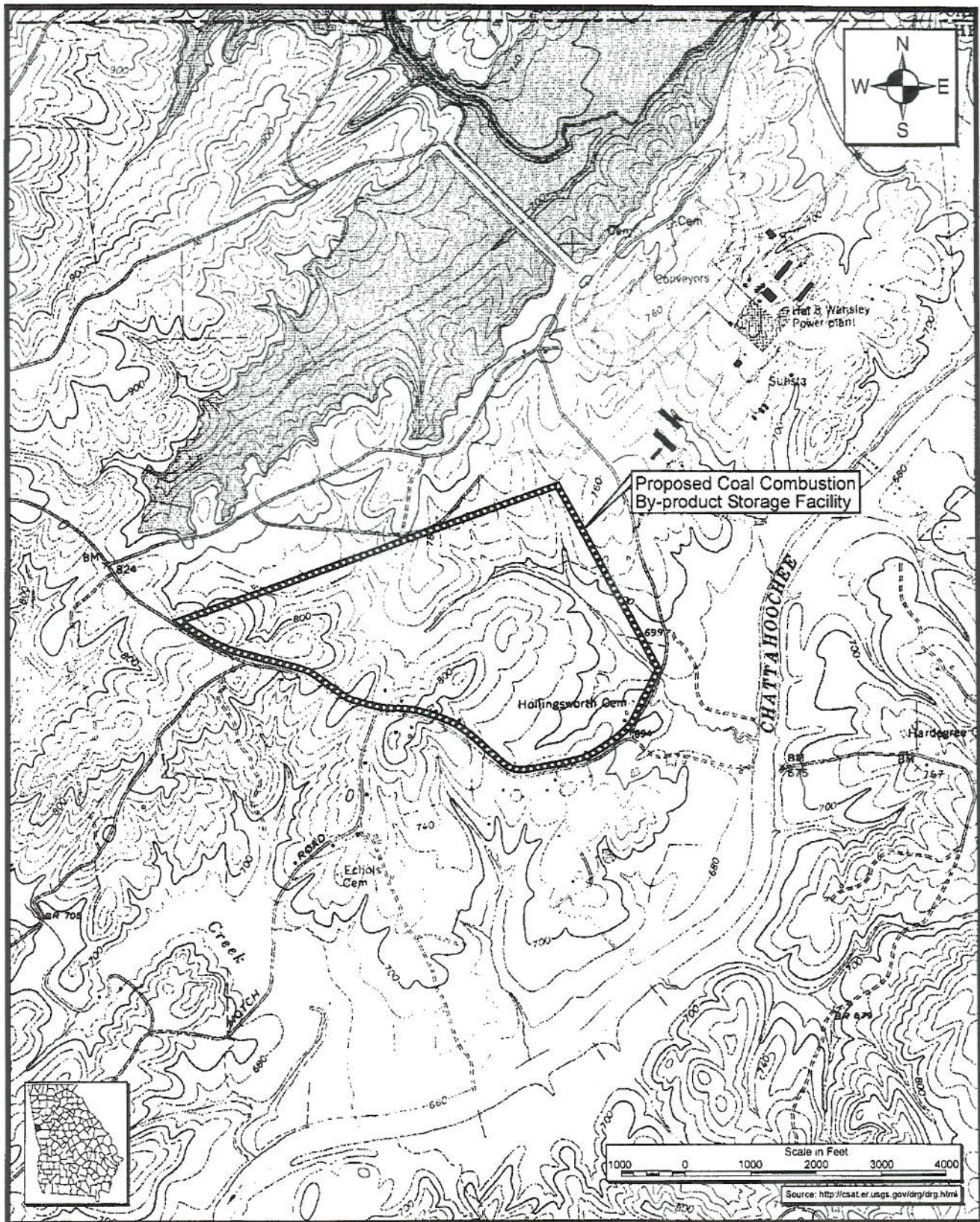
Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Savannah District, US Army Corps of Engineers, Piedmont Branch, Attention: Mr. Bill Fonferek, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Please refer to the applicant's name (Plant Wansley) and the application number (200900552) in your comments.

If you have any further questions concerning this matter, please contact Mr. Bill Fonferek at (678) 422-1981.

6 Enclosures
Site Location map
Site Topographic Map
2007 Aerial Photograph
Proposed Site Layout with Jurisdictional Waters
Alternatives Site Locations
Impacts to Jurisdictional Waters drawing



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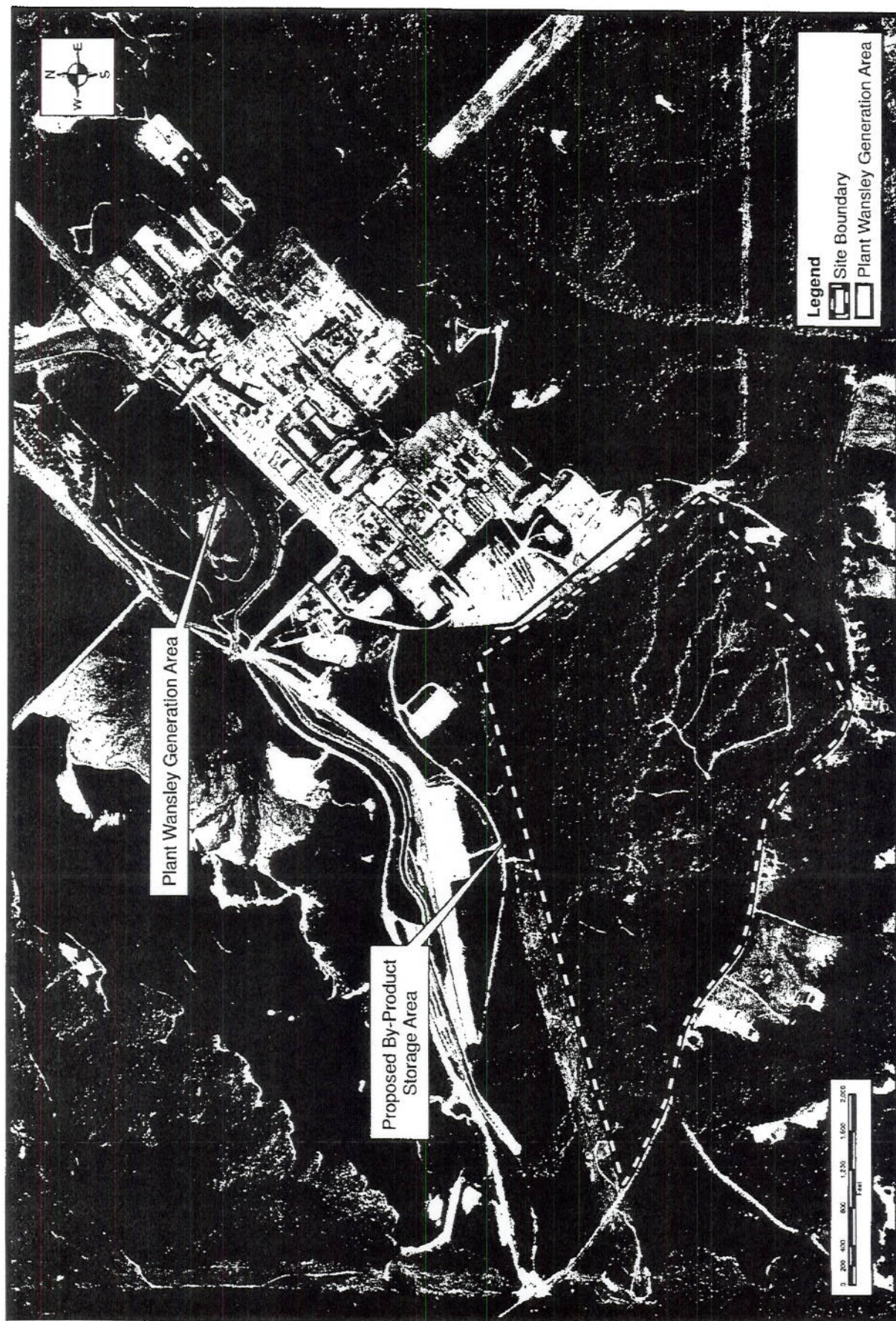
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Georgia Power Company
Plant Wansley
Proposed Coal Combustion By-product Storage Facility

May 2009
20236-037

Site Topographic Map

Figure 2



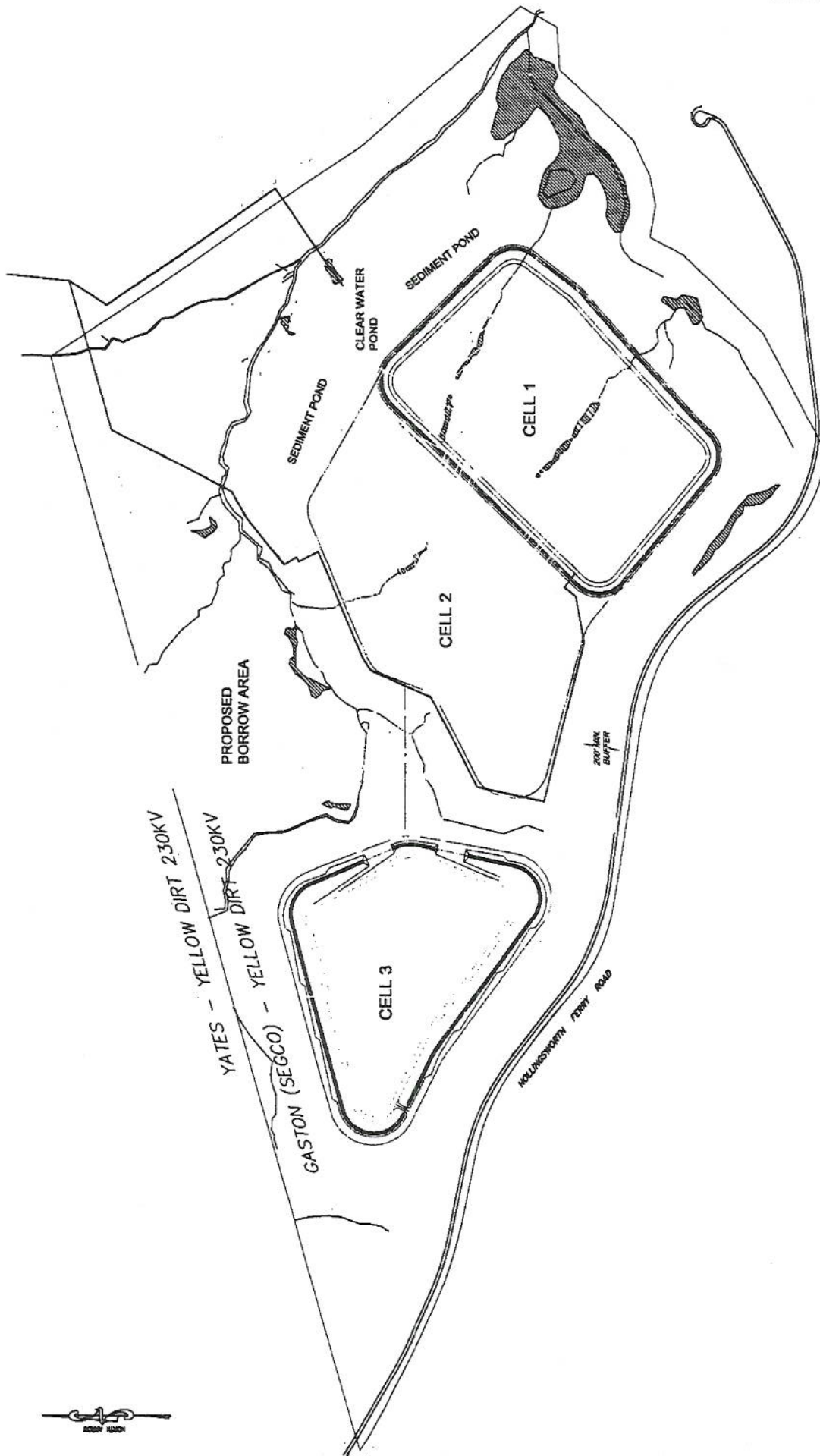
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Georgia Power Company
Plant Wansley Proposed Coal Combustion By-Product Storage Facility

2007 Aerial Photograph of Project Area

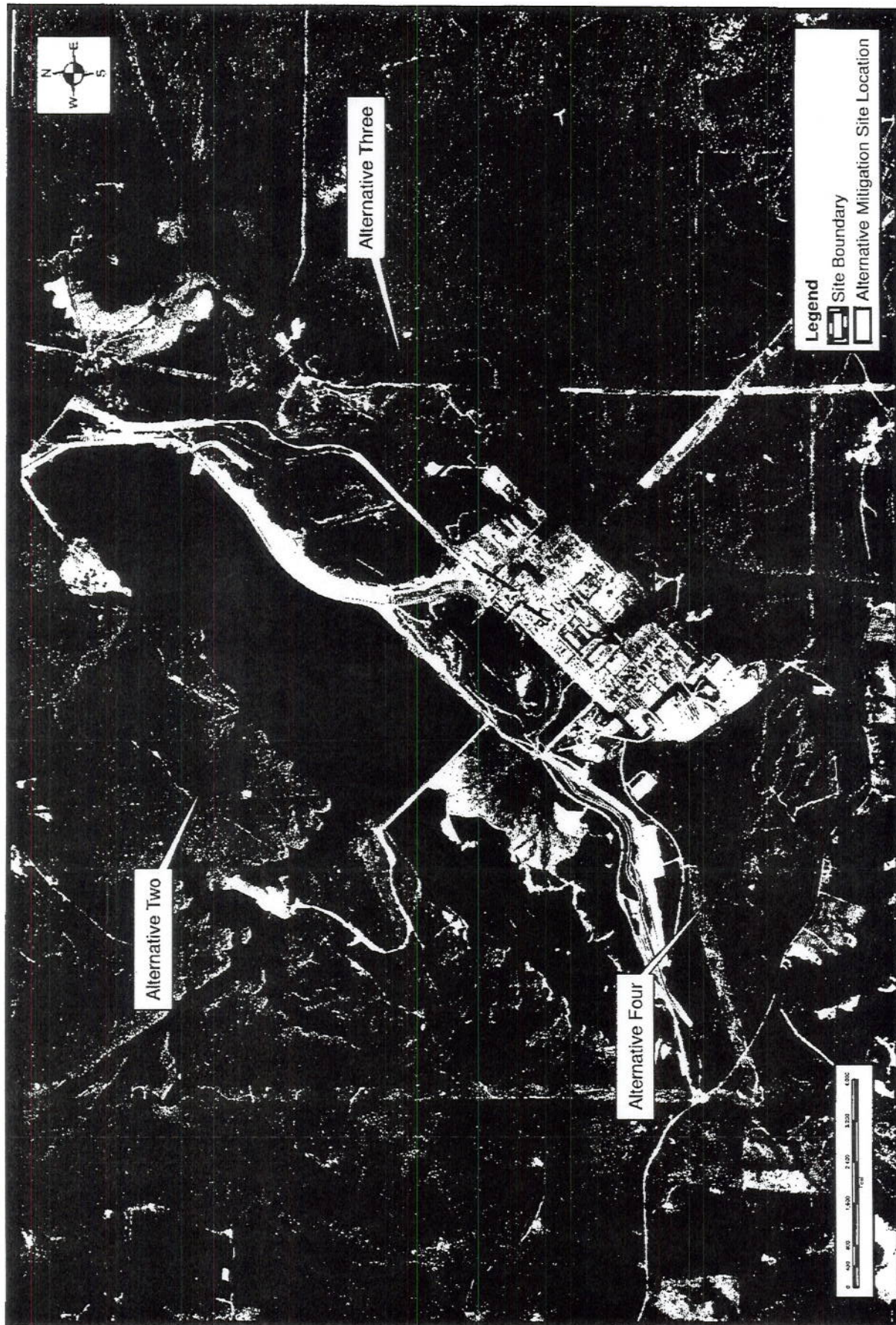
Figure 3

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 1 Inch = 800 Feet
 20236-037
Figure 4

Georgia Power Company
 Plant Wansley Proposed Coal Combustion By-Product Storage Facility
Proposed Site Layout



20236-037_alternative site location map.mxd

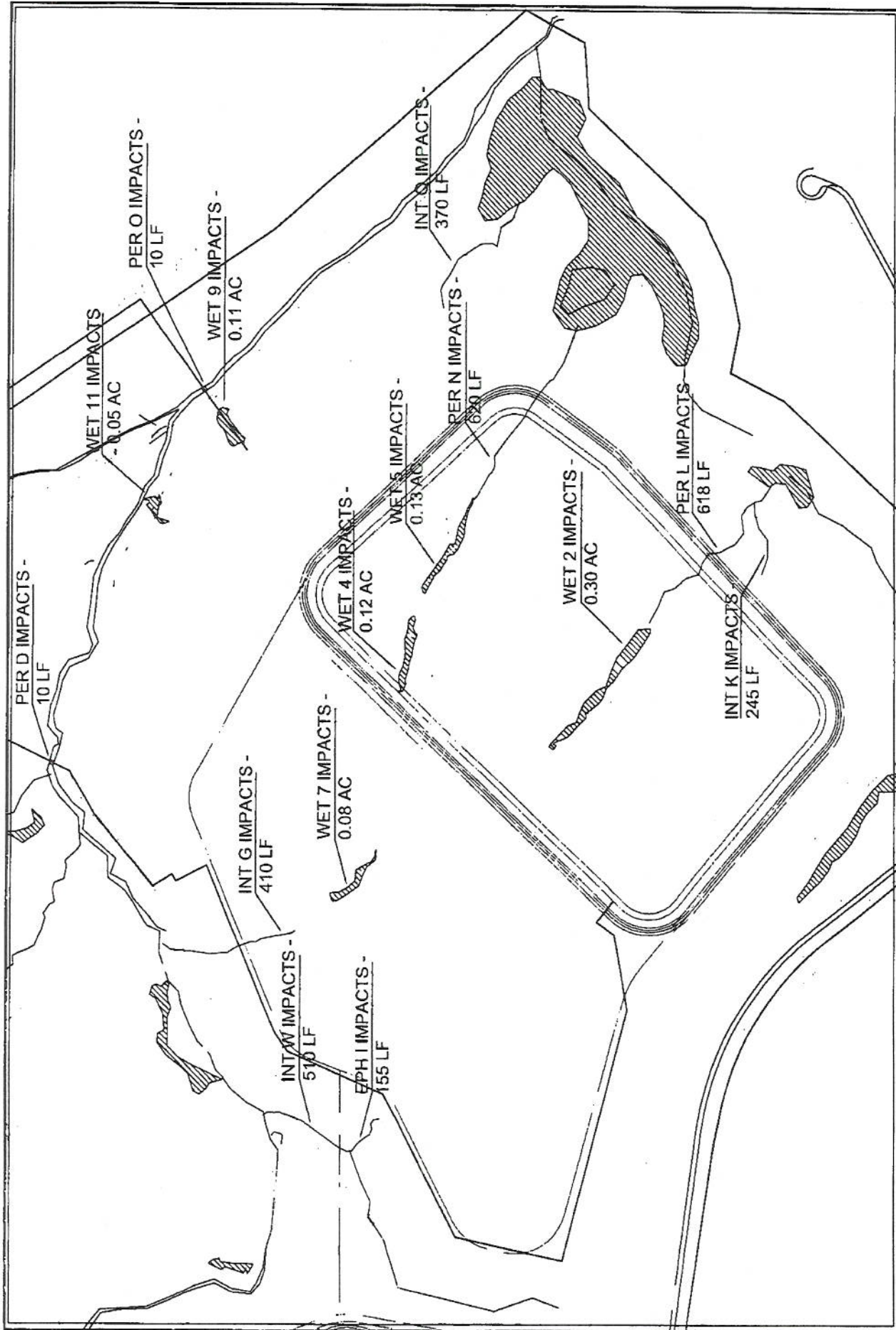
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Alternative Site Locations Map

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Figure 16



20236-037 Individual Permit Fig. 20a

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Plant Wansley Proposed Coal Combustion By-Product Storage Facility

Jurisdictional Impacts - Detail

May 2009
1 Inch = 400 Feet
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Figure 20a